

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 17 are pending in the application.
Currently, all claims stand rejected.

By the present amendment, claim 1 has been amended and new claims 18 and 19 have been added to the case.

In the office action mailed February 25, 2009, claims 1 - 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,682,024 to Koopman, Jr. et al. in view of U.S. Patent No. 6,612,403 to Silberhorn et al.

The foregoing rejection is traversed by the instant response.

Claim 1 as amended herein is directed to a positioning system for a moveable platform comprising: an RF reader for receiving coded data from at least one RF tag positioned at a known location; at least one optical device for capturing an image of a visual cue positioned at a known location; said visual cue being positioned to fall within a field of view of said at least one optical device when said at least one RF tag is within range to be read by said RF reader; means for decoding said coded data; means for processing said captured image to determine the position of said visual cue; and means for combining said decoded data and said detected visual cue to calculate a position of said moveable platform.

The Koopman, Jr. patent is cited as disclosing an elevator position determination system which includes a RF reader for receiving coded data from at least one RF tag

and a means for decoding the encoded data. Koopman, Jr. lacks an optical device for capturing an image of a visual cue and means for processing the capture image. The Silberhorn patent discloses an apparatus for determining the position of an elevator using at least one optical device.

The fact that the Examiner can find pieces of the claimed invention in the prior art is insufficient in and by itself to establish a case of obviousness. What is required is an articulated line of reasoning having a rational underpinning which would lead one to conclude that the claimed invention is obvious. The Examiner has not provided an articulated statement as to why one of skill in the art would provide "means for combining said decoded data and said detected visual cue to calculate a position of said moveable platform." Neither reference teaches combining the two signals because neither reference utilizes both signals to determine the position of a moveable platform. For this reason, claim 1 is allowable.

Claim 1, as amended herein, is further allowable because neither reference taken alone, or in combination with each other, discloses or renders obvious "positioning said visual cue to fall within a field of view of said at least one optical device when said at least one RF tag is within range to be read by said RF reader."

Claim 12 is directed to a method for determining position comprising the steps of: providing a plurality of RF tags at fixed positions; providing a plurality of visual markers at fixed positions; affixing an RF reader to a moveable platform; affixing an optical device to said moveable platform; using said RF reader to receive coded

information from one of said plurality of RF tags; imaging at least one of said plurality of visual markers with said optical device to produce an image; performing image processing on said image to identify a position of a visual cue in said image; and combining said position of said visual cue with said coded information to determine a location of said moveable platform.

As noted above, the mere fact that components of a claimed invention are known in the prior art is insufficient to establish a case of obviousness. In the instant situation, there is nothing in the cited and applied references which would render obvious the step of "combining said position of said visual cue with said coded information to determine a location of the moveable platform." Neither reference combines these two features because neither reference uses the combination of the position of the visual cue with the coded information. Each reference teaches determining the location of the moveable platform by using one of them. There is no reason flowing from the references which would lead one of ordinary skill in the art to perform the claimed combining step. For this reason, claim 12 is allowable.

Claims 2 - 11 and 13 - 17 are allowable for the same reasons as their parent claims as well as on their own accord.

New claims 18 and 19 are allowable because neither reference teaches or renders obvious the claimed method steps.

For these reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicant's attorney at the telephone number listed below.

No fee is believed to be due as a result of this response. Should the Director determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,
Pengju Kang et al.

By/Barry L. Kelmachter #29999/
Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants
Telephone: (203)777-6628
Telefax: (203)865-0297
Email: docket@bachlap.com

Dated: May 25, 2009